G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1902-03

(Genl Fin)

File No. 325 of 1902-03

Serial Nos. 1 to 2

P 9
(E)

Papers Filed.

*Month*_____

SUBJECT.

Refund bill in favour of one Abdul Gafur of Hiresandra, Closed Sub Taluk.

PREVIOUS REFERENCES.	LATER REFERENCES.

OFFICE OF THE DEWAN OF MYSORE

REVENUE AND GENERAL, DEPARTMENTS.

Short Office Note.

No. and date of letter, from whom, catch words to denote nature of Subject should be stated, in red ink.

One form may be used for more than one letter of the same file as long as there is space. The Office Note should be in black ink. Write only on side of this form.

Subject

Letter no: D 589 dated 28th Oct 19
from the Dy: Comr., Bangalore District
submitting for sanction a refund bi
for Rs 5 in favour of one Abdul Gafu
Sab.

Note

one Abdul Gafur Sab was fined Rs
by the jamabandi officer for having un
authorizedly cultivated 6 guntas of lan
lying to the west of S. no: 211 and formi
part of the bed of the Arkavati river
in Harisandra village, Closepet Sub Talu
on 29.7.01 He he appealed to the Dy: Com
that the fine might be remitted and
his claim for the land established on
the ground that it was obtained by
darkhast in 1893 and that the jamaba
officer's supposition that the land wa
gomal was wrong. The Dy: Comr. (Mr N
Narayana Rao) on 13.8.01 passed the
following order. —

"The Asst. Comr was wrong in
finding that the land is gomal and forme
part of S. no: 204. This S. no: is no doubt

gonal but it lies to the east of S. No 211. The land stated to have been unauthorisedly cultivated lies to the west of S. No: 211 and forms part of the bed of the Arkavati river Its occupation cannot be permitted The order imposing a fine upon the appellant and directing his eviction from the land is Confirmed and the appeal dismissed

The petitioner having again represented the matter, the Dy: Comr on 1.2.02 ordered the Case to be held in abeyance pending his inspection. The petitioner was allowed to look after the land.

On 15-4-02 the Jamabandi officer again fined the petitioner Rs 5 for the year 1901-02 which was recovered and credited to the Treasury.

On 1.6.02 the Dy: Comr passed finial orders Confirming his order of 13.8.01

On 5.6.02 Abdul Gafur appealed to the Dy: Comr against the order of the Jamabandi officer.

The Dy: Comr (Mr. Sparkes) did not interefere in the matter of eviction as finial orders had been passed by his predecessor but remitted the fine which he thought did not hold good as the orders of the Jamabandi officer were passed while the order of the Dy: Comr was held in

abeyance. As the fine was received and credited to the Treasury a refund bills is submitted for sanction

~~Declaration enclosed for perusal.~~

Submitted for orders.

R.V.
20/1/03

In the face of Mr. W.'s Counsel's order of 1.2.02 the petitioner cannot be considered to have been in illegal possession of the land - No fine may therefore be demanded

Put up draft for approval

21/1/03

Draft submitted
R.V.
23.1.03

REVENUE DEPARTMENT
Cl. No.
1902 K 5 1/03
NEWS OFFICE

From The Deputy Commissioner Bangalore District

To The Secretary to the Govt of Mysore Revenue Department

Dated 28th Octr
Despatched 4th Decr } 1902
Received

General No.
D No. 589

Enclosure No. One and Vouchers

Submits for sanction a refund bill for Rs 5/- on behalf of Abdul Kaffoor Sab being the fine ordered to be cancelled

Submitted with a bill
H.V.
20.1.03

D No 589
In: one to: letter

(1)

Bangalore District
Dy Commissioners Office
Bangalore 29th October 90

From,

H. H. Sparkes Esqr
Dy Commissioner
Bangalore District

To

H. V. Ranganayya Esqr MAMR
Secy to the Govt of Mysore
Rev: & Genl Depts

Sir

I have the honr to state that one Abdul Gaffar Sab was fined Rs5/- for Sarvari (1890-91) by the Jamabandi Officer for having unauthorizedly cultivated 6 guntas of land situated West of D No 211 and forms part of the bed of the Arkavati River in Harusandra village of the Closepet Sub Taluk On appeal against the order of the Jamabandi Officer, my predecessor confirmed the

The Dame HC petitioned against the Dame
Officer, who ordered the Case to be held in
abeyance pending his inspection. In the mean
-time, the Jamabandi Officer again fined
him Rs 5/- for Plava and had it credited
into the Taluk Treasury on 30th June 1902.
HC absconded again, and I ordered the re
-fund of the fine when the order of fine for
Sarvari was held in abeyance and the
order for Plava can not hold good. A refund bill for
Rs 5/- is therefore submitted for sanction.

2 The Vernacular papers on the Subject
are herein enclosed.

I have the honour to be,
Sir,
Your most obedient Servant,

Dy Commissioner
Belgaum District

H 1143-4

D

Read

Letter No: 589 dated 28 1/2 October 1902 from the Deputy Commissioner Bangalore District submitting for sanction a refund bill in favour of Abdul Gafur of Hiresandra, Closepet Sub Taluk for Rs 5/-.

Order thereon: —

Abdul Gafur was fined Rs 5/- for 1900-01 by the Jamabandi Officer and was ordered to be evicted from 6 guntas of land lying to the west of S. No: 211 and forming part of the bed of the Arkavati river in Harisandra village Closepet Sub Taluk for having unauthorizedly

No. H. 1143-4 D/ 5.2.03
E & V.P. 5

cultivated it. On appeal to the Deputy Commissioner the eviction and fine were confirmed on 13.8.01. The petitioner having again represented the matter, the Dy: Comr on 1.2.02 ordered the case to be held in abeyance pending his inspection and allowed the petitioner to look after the land. On 15.4.02 the jamabandi officer, apparently acting on the order of 13.8.01 again fined Abdul Gafur Rs 5/~~for 1901-02~~ in and ordered his eviction. On 1.6.02, the Dy: Comr. passed orders confirming his previous order of 13.8.01. Abdul Gafur appealed to the Dy: Comr against the order

fined

by
of the Jamabandi officer
~~for 1901-02~~ on 15-4-02. The Dy Comr
(Mr: H.H. Sparkes) did not
interfere in the matter of
eviction but remitted the
fine on the ground that
it did not hold good
as the orders of the Ja-
mabandi officer were
passed when the Dy Comrs
order was held in abeyance.
The fine having been
recovered and credited to
the Treasury a refund
bill is submitted.

In the face of the Dy
Comr's ~~order~~ dated 1-2-0:
the petitioner cannot be
considered to have been
in illegal possession of
the land. ~~The fine may~~
~~therefore be remitted~~ - The
bill is sanctioned and
forwarded to the Comptroller,
Mysore Govt for audit.

23/1/03

for Secretary

To The D.C. Bangalore Dist
returning Ver: papers
" Comptroller, Mg. with
the bill.